

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOHN COLLINS,

Plaintiff,

v.

VIRTELA TECHNOLOGY SERVICES,  
INC.; and DOES 1 through 10,

Defendants.

No. C 12-613 CW

ORDER REMANDING  
CASE TO STATE  
COURT

On September 26, 2012, the Court denied Plaintiff John Collins's motion to remand the instant case to state court and granted Defendant Virtela Technology Services, Inc. leave to amend its notice of removal to allege specifically that Plaintiff is a citizen of California. Docket No. 43. At that time, the Court also granted in part Defendant's motion to compel arbitration on Plaintiff's claims and denied it in part. The Court compelled arbitration on Plaintiff's claims, except for his claims for refusal to permit inspection and copying of personnel and payroll documents and violation of the UCL based on this refusal.

On October 3, 2012, Defendant filed a notice representing that it cannot in good faith assert that the damages available under the remaining claims meet the amount in controversy requirement for diversity jurisdiction under 28 U.S.C. § 1332, and that it would not file an amended notice of removal. Docket No. 44.

Because Defendant acknowledges that the jurisdictional amount-in-controversy requirement is not met on the remaining

1 claims, the Court directs the Clerk to remand this action to  
2 Alameda County Superior Court and close the file.

3 IT IS SO ORDERED.

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5 Dated: 10/10/2012

  
6 CLAUDIA WILKEN  
7 United States District Judge  
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